



CT Corporation

**Service of Process
Transmittal**

10/29/2009

CT Log Number 515644053



TO: Kim Wilburn
Sunrise Senior Living, Inc.
7902 Westpark Drive, Legal Department
McLean, VA 22102

RE: **Process Served in Illinois**

FOR: Sunrise Senior Living Management, Inc. (Domestic State: VA)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: Faye M. Garland, Pltf. vs. Sunrise Senior Living, Inc., etc. et al. including Sunrise Senior Living Management, Inc., Dfts.

DOCUMENT(S) SERVED: Summons (2 sets), Complaint, Affidavit(s)

COURT/AGENCY: Cook County Circuit Court - County Department - Law Division, IL
Case # 2009L012309

NATURE OF ACTION: Personal Injury - Failure to Maintain Premises in a Safe Condition - Vehicle Collision - On and before 10/21/07 - 1250 West Central Road, Arlington Heights IL

ON WHOM PROCESS WAS SERVED: C T Corporation System, Chicago, IL

DATE AND HOUR OF SERVICE: By Process Server on 10/29/2009 at 09:30

APPEARANCE OR ANSWER DUE: Within 30 days after service, not counting the day of service

ATTORNEY(S) / SENDER(S): Thomas G. Gorman
Schiff Gorman & Krkjes
One East Wacker Drive
28th FL
Chicago, IL 60601
312-345-7210

ACTION ITEMS: SOP Papers with Transmittal, via Fed Ex 2 Day , 792165700271
Image SOP
Email Notification, Kim Wilburn kimberly.wilburn@sunriseseniorliving.com
Email Notification, Helen Wilson helen.wilson@sunriseseniorliving.com
Email Notification, Kristin Thompson kristin.thompson@sunriseseniorliving.com

SIGNED: C T Corporation System
PERC: Jill Duffy-Baricovich
ADDRESS: 208 South LaSalle Street
Suite 814
Chicago, IL 60604
TELEPHONE: 312-345-4336

Page 1 of 1 / FR

Information displayed on this transmittal is for CT Corporation's record keeping purposes only and is provided to the recipient for quick reference. This information does not constitute a legal opinion as to the nature of action, the amount of damages, the answer date, or any information contained in the documents themselves. Recipient is responsible for interpreting said documents and for taking appropriate action. Signatures on certified mail receipts confirm receipt of package only, not contents.

2120 - Served
 2220 - Not Served
 2320 - Served By Mail
 2420 - Served By Publication
 SUMMONS

2121 - Served
 2221 - Not Served
 2321 - Served By Mail
 2421 - Served By Publication
 ALIAS - SUMMONS

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
 COUNTY DEPARTMENT, LAW DIVISION**

FAYE M. GARLAND,)	
)	
Plaintiff,	)	Court No: 2009L012309
vs.	)	CALENDAR/ROOM E
SUNRISE SENIOR LIVING, INC., d/b/a	)	TIME 00:00
SUNRISE CHURCH CREEK, SUNRISE	)	Premises Liability
SENIOR LIVING SERVICES, INC.	)	Sunrise Senior Living, Inc., d/b/a Sunrise Church Creek,
SUNRISE SENIOR LIVING	)	Sunrise Senior Living Services, Inc.
MANAGEMENT, INC. and	)	Sunrise Senior Living Management, Inc.
SUNRISE SENIOR LIVING	)	Sunrise Senior Living Investments, Inc.
INVESTMENTS, INC., a foreign	)	REGISTERED AGENT:
Corporation, and SPTMRT	)	CT Corporation System
PROPERTIES TRUST, a Maryland	)	208 South LaSalle Street
real estate investment	)	Suite 814
trust,	)	Chicago, IL 60604
)	

Defendants.

SUMMONS

YOU ARE SUMMONED and required to file an answer in this case, or otherwise file your appearance in the Office of the Clerk of this Court (located at The Richard J. Daley Center, Eighth Floor, Chicago, Illinois 60602), within 30 days after service of this summons, not counting the day of service. IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF ASKED IN THE COMPLAINT, A COPY OF WHICH IS HERETO ATTACHED.

To the Officer:

This summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this summons shall be returned so endorsed. This summons may not be served later than 30 days after its date.

Oct 16 2009
 WITNESS: _____, 2009
 Clerk of the Court

Attorney No. 37407
 Name: Thomas G. Gorman of Schiff, Gorman & Krkljes
 Attorney for: Plaintiff
 Address: One E. Wacker Drive, Suite 2850
 City: Chicago, Illinois 60601
 Telephone: 312/345-7210

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SUMMONS

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**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
 COUNTY DEPARTMENT, LAW DIVISION**

FAYE M. GARLAND,

Plaintiff

vs.

SUNRISE SENIOR LIVING, INC., d/b/a)
 SUNRISE CHURCH CREEK, SUNRISE)
 SENIOR LIVING SERVICES, INC.)
 SUNRISE SENIOR LIVING)
 MANAGEMENT, INC. and)
 SUNRISE SENIOR LIVING)
 INVESTMENTS, INC., a foreign)
 Corporation, and SPTMRT)
 PROPERTIES TRUST, a Maryland)
 real estate investment)
 trust,

Court No:

2009L012309
 CALENDAR/ROOM E
 TIME 00:00
 Premises Liability

Please served:

Sunrise Senior Living, Inc., d/b/a Sunrise Church Creek,
 Sunrise Senior Living Services, Inc.
 Sunrise Senior Living Management, Inc.
 Sunrise Senior Living Investments, Inc.
 REGISTERED AGENT:
 CT Corporation System
 208 South LaSalle Street
 Suite 814
 Chicago, IL 60604

Defendants.

SUMMONS

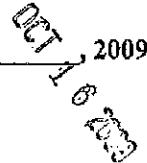
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WITNESS: _____

Clerk of the Court

2009


Attorney No. 37407

Name: Thomas G. Gorman of Schiff, Gorman & Krkljes
 Attorney for: Plaintiff
 Address: One E. Wacker Drive, Suite 2850
 City: Chicago, Illinois 60601
 Telephone: 312/345-7210

Firm ID# 37407

IN THE CIRCUIT COURT OF COOK COUNTY
COUNTY DEPARTMENT, LAW DIVISION

FAYE M. GARLAND,)
vs. Plaintiff,) Case No.: 2009L012309
SUNRISE SENIOR LIVING, INC., d/b/a) CALENDAR/ROOM E
SUNRISE CHURCH CREEK, SUNRISE) TIME 00:00
SENIOR LIVING SERVICES, INC.) PREMises Liability
SUNRISE SENIOR LIVING)
MANAGEMENT, INC. and)
SUNRISE SENIOR LIVING)
INVESTMENTS, INC., a foreign)
Corporation, and SPTMRT PROPERTIES)
TRUST, a Maryland real estate investment)
trust,)
Defendants.

COMPLAINT AT LAW

PLAINTIFF, FAYE GARLAND, through her attorneys, SCHIFF GORMAN & KRKLJES, complaining of Defendants, SUNRISE SENIOR LIVING, INC., d/b/a SUNRISE CHURCH CREEK, SUNRISE SENIOR LIVING SERVICES, INC. SUNRISE SENIOR LIVING MANAGEMENT, INC., and/or SUNRISE SENIOR LIVING INVESTMENTS, INC., foreign corporations, and SPTMRT PROPERTIES, a Maryland real estate investment trust, states as follows:

NEGLIGENCE

1. On and before October 21, 2007, SUNRISE SENIOR LIVING, INC., d/b/a SUNRISE CHURCH CREEK, SUNRISE SENIOR LIVING SERVICES, INC., SUNRISE SENIOR LIVING MANAGEMENT, INC., and/or SUNRISE SENIOR LIVING INVESTMENTS, INC, all foreign corporations (hereinafter collectively SUNRISE) were authorized to do business in the State of Illinois.

2. On and before October 21, 2007, SPTMRT PROPERTIES, a Maryland real estate investment trust, (hereinafter SPTMRT) was authorized to do business in the State of Illinois.

3. On and before October 21, 2007, SUNRISE and/or SPTMRT, and each of them, owned, operated, managed, maintained, supervised and controlled the premises located at 1250 West Central Road in Arlington Heights, County of Cook, State of Illinois, and among other things, owned and managed an independent living community, nursing and rehabilitation facility.

4. On and before October 21, 2007, at approximately 7:10 p.m., Plaintiff FAYE GARLAND (hereinafter GARLAND) was lawfully on the aforementioned property in the parking area of the aforementioned property and intending to drive her vehicle off said property.

5. At the aforementioned time and place, during her exit from the property, the overhead lighting at the exit area was not active and the exit area was in darkness.

6. At the aforementioned time and place, GARLAND'S vehicle entered an unnatural hole in the exit lane, and as a result, her vehicle was caused to leave the road and hit a tree.

7. At all times relevant herein, SUNRISE and SPTMRT, and each of them, through their agents, servants and employees, had a duty to operate the aforementioned business and maintain said premises with reasonable care and caution for its invitees, including GARLAND, such that it was safe for persons lawfully thereon.

8. Notwithstanding the aforementioned duty, and in breach thereof, at the aforementioned time and place SUNRISE and SPTMRT, and each of them, were guilty on one or more of the following negligent acts and or omissions:

- a. failed to properly inspect the premises, and in particular the aforementioned exit area and parking lot, to ensure it was safe for persons lawfully thereon;

- b. allowed and permitted said driveway, exit area, and parking lot to remain in a dangerous condition, specifically, said area was filled with broken concrete/asphalt/cement creating large holes in the lanes used for vehicular traffic exiting the premises, when Defendants knew, or in the exercise of reasonable care should have known, that this condition created dangers and hazards for persons using same;
- c. failed to warn Plaintiff of the existence of the aforementioned dangerous conditions;
- d. failed to identify, remedy, block off, rope, or otherwise cordon-off the aforementioned dangerous conditions;
- e. failed to adequately manage, repair and maintain the aforementioned area so as to keep same safe for persons lawfully using same;
- f. failed to direct traffic so that vehicles would not encounter the dangerous areas;
- g. failed to adequately illuminate the area when Defendants knew, or in the exercise of reasonable care should have known, of the existence of the dangers presented;
- g. designed, created, constructed, installed, managed and maintained a dangerous condition, specifically, a parking lot that was dangerous when put to its intended use; and
- h. created and/or allowed the creation and existence of a means of egress from the property which violated the customs and practice and standards of design of the construction and maintenance industries which require paved areas to be free of hazards, and maintained for safe use.

9. As a direct and proximate result of one or more of the aforesaid negligent acts and/or omissions of Defendants SUNRISE and SPTMRT, and each of them, Plaintiff's vehicle was caused to leave the road and hit a tree.

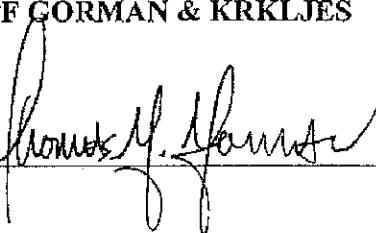
10. As direct and proximate cause of one or more of the aforementioned negligent acts and or omissions of defendants, SUNRISE and SPTMRT, and each of them, Plaintiff FAYE GARLAND then and there sustained severe and permanent injuries, both internally and externally, which caused and continues to cause her great pain and suffering and necessitated the

expenditure of and will in the future necessitate the expenditure of large sums of money for medical care and services related to her injuries, and was and will in the future hinder and prevent her from attending to her duties and affairs, and has lost, and will in the future lose the value of that time.

WHEREFORE, Plaintiff, FAYE GARLAND, demands judgment against Defendants, SUNRISE SENIOR LIVING, INC., D/B/A SUNRISE CHURCH CREEK, SUNRISE SENIOR LIVING SERVICES, INC., and SUNRISE SENIOR LIVING INVESTMENTS, INC., a foreign corporation, and SPTMRT PROPERTIES, a Maryland real estate investment Trust, and each of them, in an amount in excess of the jurisdictional limits of this Court as well as costs concomitant herewith.

Respectfully submitted,

SCHIFF GORMAN & KRKLJES

By: 

Thomas G. Gorman
SCHIFF GORMAN & KRKLJES
One East Wacker Drive, 28th Floor
Chicago, Illinois 60601
(312) 345-7210

Firm ID# 37407

IN THE CIRCUIT COURT OF COOK COUNTY
COUNTY DEPARTMENT, LAW DIVISION

FAYE M. GARLAND,)
)
)
Plaintiff,)
)
)
vs.) Case No.:
)
)
SUNRISE SENIOR LIVING, INC., d/b/a)
SUNRISE CHURCH CREEK, SUNRISE)
SENIOR LIVING SERVICES, INC.)
SUNRISE SENIOR LIVING)
MANAGEMENT, INC. and)
SUNRISE SENIOR LIVING)
INVESTMENTS, INC., a foreign)
Corporation, and SPTMRT PROPERTIES)
TRUST, a Maryland real estate investment)
trust,)
)

Defendants.

AFFIDAVIT PURSUANT TO RULE 222(b)

Thomas G. Gorman, upon oath, states that if called will testify as follows:

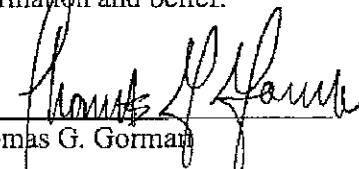
I am one of the attorneys for the Plaintiff, FAYE GARLAND.

I am familiar with the extent of damages suffered by FAYE GARLAND; and

I reasonably believe that the total money damages suffered by her exceeds \$50,000.00 exclusive of costs.

CERTIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that, at this time, the statements set forth in this instrument are true and correct to the best of my knowledge, information and belief.



Thomas G. Gorman



CT Corporation

**Service of Process
Transmittal**

10/29/2009

CT Log Number 515644074



TO: Kim Wilburn
Sunrise Senior Living, Inc.
7902 Westpark Drive, Legal Department
McLean, VA 22102

RE: **Process Served in Illinois**

FOR: Sunrise Senior Living Investments, Inc. (Domestic State: VA)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: Faye M. Garland, Pltf. vs. Sunrise Senior Living, Inc.; etc. et al. including Sunrise Senior Living Investments, Inc., Dfts.

DOCUMENT(S) SERVED: Summons (2 sets), Complaint, Affidavit(s)

COURT/AGENCY: Cook County Circuit Court - County Department - Law Division, IL
Case # 2009L012309

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ON WHOM PROCESS WAS SERVED: C T Corporation System, Chicago, IL

DATE AND HOUR OF SERVICE: By Process Server on 10/29/2009 at 09:30

APPEARANCE OR ANSWER DUE: Within 30 days after service, not counting the day of service

ATTORNEY(S) / SENDER(S): Thomas G. Gorman
Schiff Gorman & Krkjes
One East Wacker Drive
28th FL
Chicago, IL 60601
312-345-7210

ACTION ITEMS: SOP Papers with Transmittal, via Fed Ex 2 Day , 792165700271
Image SOP
Email Notification, Kim Wilburn kimberly.wilburn@sunriseseniorliving.com
Email Notification, Helen Wilson helen.wilson@sunriseseniorliving.com
Email Notification, Kristin Thompson kristin.thompson@sunriseseniorliving.com

SIGNED: C T Corporation System
PER: Jill Duffy-Baricovich
ADDRESS: 208 South LaSalle Street
Suite 814
Chicago, IL 60604
TELEPHONE: 312-345-4336

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ALIAS - SUMMONS

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION**

FAYE M. GARLAND,	)	Court No:	2009L012309 CALENDAR/ROOM E TIME 00:00 Premises Liability
vs.)		
SUNRISE SENIOR LIVING, INC., d/b/a	)	Please served:	
SUNRISE CHURCH CREEK, SUNRISE	)	Sunrise Senior Living, Inc., d/b/a Sunrise Church Creek,	
SENIOR LIVING SERVICES, INC.	)	Sunrise Senior Living Services, Inc.	
SUNRISE SENIOR LIVING	)	Sunrise Senior Living Management, Inc.	
MANAGEMENT, INC. and	)	Sunrise Senior Living Investments, Inc.	
SUNRISE SENIOR LIVING	)	REGISTERED AGENT:	
INVESTMENTS, INC., a foreign	)	CT Corporation System	
Corporation, and SPTMRT	)	208 South LaSalle Street	
PROPERTIES TRUST, a Maryland)	Suite 814	
real estate investment)	Chicago, IL 60604	
trust,)		

Defendants.

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WITNESS: _____, 2009
Clerk of the Court

Attorney No. 37407
Name: Thomas G. Gorman of Schiff, Gorman & Krkljes
Attorney for: Plaintiff
Address: One E. Wacker Drive, Suite 2850
City: Chicago, Illinois 60601
Telephone: 312/345-7210

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COUNTY DEPARTMENT, LAW DIVISION

FAYE M. GARLAND,)
vs.)
Plaintiff,)
vs.)
SUNRISE SENIOR LIVING, INC., d/b/a)
SUNRISE CHURCH CREEK, SUNRISE)
SENIOR LIVING SERVICES, INC.)
SUNRISE SENIOR LIVING)
MANAGEMENT, INC. and)
SUNRISE SENIOR LIVING)
INVESTMENTS, INC., a foreign)
Corporation, and SPTMRT)
PROPERTIES TRUST, a Maryland)
real estate investment)
trust,)
)
Defendants.

Court No: 2009L012309
Please served:
Sunrise Senior Living, Inc., d/b/a Sunrise Church Creek,
Sunrise Senior Living Services, Inc.
Sunrise Senior Living Management, Inc.
Sunrise Senior Living Investments, Inc.
REGISTERED AGENT:
CT Corporation System
208 South LaSalle Street
Suite 814
Chicago, IL 60604

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Clerk of the Court

Attorney No. 37407
Name: Thomas G. Gorman of Schiff, Gorman & Krkljes
Attorney for: Plaintiff
Address: One E. Wacker Drive, Suite 2850
City: Chicago, Illinois 60601
Telephone: 312/345-7210

Firm ID# 37407

IN THE CIRCUIT COURT OF COOK COUNTY
COUNTY DEPARTMENT, LAW DIVISION

FAYE M. GARLAND,)	2009PL012309
)	CALENDAR/ROOM E
Plaintiff,)	TIME 00:00 -
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Corporation, and SPTMRT PROPERTIES)	
TRUST, a Maryland real estate investment)	
trust,)	
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Defendants.

COMPLAINT AT LAW

PLAINTIFF, FAYE GARLAND, through her attorneys, SCHIFF GORMAN & KRKLJES, complaining of Defendants, SUNRISE SENIOR LIVING, INC., d/b/a SUNRISE CHURCH CREEK, SUNRISE SENIOR LIVING SERVICES, INC. SUNRISE SENIOR LIVING MANAGEMENT, INC., and/or SUNRISE SENIOR LIVING INVESTMENTS, INC., foreign corporations, and SPTMRT PROPERTIES, a Maryland real estate investment trust, states as follows:

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5. At the aforementioned time and place, during her exit from the property, the overhead lighting at the exit area was not active and the exit area was in darkness.

6. At the aforementioned time and place, GARLAND'S vehicle entered an unnatural hole in the exit lane, and as a result, her vehicle was caused to leave the road and hit a tree.

7. At all times relevant herein, SUNRISE and SPTMRT, and each of them, through their agents, servants and employees, had a duty to operate the aforementioned business and maintain said premises with reasonable care and caution for its invitees, including GARLAND, such that it was safe for persons lawfully thereon.

8. Notwithstanding the aforementioned duty, and in breach thereof, at the aforementioned time and place SUNRISE and SPTMRT, and each of them, were guilty on one or more of the following negligent acts and or omissions:

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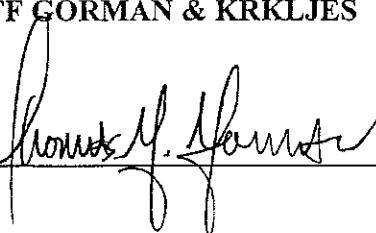
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WHEREFORE, Plaintiff, FAYE GARLAND, demands judgment against Defendants, SUNRISE SENIOR LIVING, INC., D/B/A SUNRISE CHURCH CREEK, SUNRISE SENIOR LIVING SERVICES, INC., and SUNRISE SENIOR LIVING INVESTMENTS, INC., a foreign corporation, and SPTMRT PROPERTIES, a Maryland real estate investment Trust, and each of them, in an amount in excess of the jurisdictional limits of this Court as well as costs concomitant herewith.

Respectfully submitted,

SCHIFF GORMAN & KRKLJES

By:



Thomas G. Gorman
SCHIFF GORMAN & KRKLJES
One East Wacker Drive, 28th Floor
Chicago, Illinois 60601
(312) 345-7210

Firm ID# 37407

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trust,)
)

Defendants.

AFFIDAVIT PURSUANT TO RULE 222(b)

Thomas G. Gorman, upon oath, states that if called will testify as follows:

I am one of the attorneys for the Plaintiff, FAYE GARLAND.

I am familiar with the extent of damages suffered by FAYE GARLAND; and

I reasonably believe that the total money damages suffered by her exceeds \$50,000.00 exclusive of costs.

CERTIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that, at this time, the statements set forth in this instrument are true and correct to the best of my knowledge, information and belief.

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CT Corporation

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Email Notification, Helen Wilson helen.wilson@sunriseseniorliving.com
Email Notification, Kristin Thompson kristin.thompson@sunriseseniorliving.com

SIGNED: CT Corporation System
PER: Jill Duffy-Baricovich
ADDRESS: 208 South LaSalle Street
Suite 814
Chicago, IL 60604
TELEPHONE: 312-345-4336

Page 1 of 1 / FR

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2120 - Served
 2220 - Not Served
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 2420 - Served By Publication
 SUMMONS

2121 - Served
 2221 - Not Served
 2321 - Served By Mail
 2421 - Served By Publication
 ALIAS - SUMMONS

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
 COUNTY DEPARTMENT, LAW DIVISION**

FAYE M. GARLAND,	)	2009L012309
	)	CALENDAR/ROOM E
Plaintiff,	)	TIME 00:00
vs.	)	Premises Liability
SUNRISE SENIOR LIVING, INC., d/b/a	)	Please served:
SUNRISE CHURCH CREEK, SUNRISE	)	Sunrise Senior Living, Inc., d/b/a Sunrise Church Creek,
SENIOR LIVING SERVICES, INC.	)	Sunrise Senior Living Services, Inc.
SUNRISE SENIOR LIVING	)	Sunrise Senior Living Management, Inc.
MANAGEMENT, INC. and	)	Sunrise Senior Living Investments, Inc.
SUNRISE SENIOR LIVING	)	REGISTERED AGENT:
INVESTMENTS, INC., a foreign	)	CT Corporation System
Corporation, and SPTMRT	)	208 South LaSalle Street
PROPERTIES TRUST, a Maryland	)	Suite 814
real estate investment	)	Chicago, IL 60604
trust,)	

Defendants.

SUMMONS

YOU ARE SUMMONED and required to file an answer in this case, or otherwise file your appearance in the Office of the Clerk of this Court (located at The Richard J. Daley Center, Eighth Floor, Chicago, Illinois 60602), within 30 days after service of this summons, not counting the day of service. IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF ASKED IN THE COMPLAINT, A COPY OF WHICH IS HERETO ATTACHED.

To the Officer:

This summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this summons shall be returned so endorsed. This summons may not be served later than 30 days after its date.

WITNESS:

OCT 16 2009
 Clerk of the Court

2009

Attorney No. 37407
 Name: Thomas G. Gorman of Schiff, Gorman & Krkljes
 Attorney for: Plaintiff
 Address: One E. Wacker Drive, Suite 2850
 City: Chicago, Illinois 60601
 Telephone: 312/345-7210

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)	CALENDAR/ROOM E
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OCT 16, 2009
 WITNESS: _____
 Clerk of the Court

Attorney No. 37407
 Name: Thomas G. Gorman of Schiff, Gorman & Krkljes
 Attorney for: Plaintiff
 Address: One E. Wacker Drive, Suite 2850
 City: Chicago, Illinois 60601
 Telephone: 312/345-7210

Firm ID# 37407

IN THE CIRCUIT COURT OF COOK COUNTY
COUNTY DEPARTMENT, LAW DIVISION

FAYE M. GARLAND,)	
	)	2009PL012309
Plaintiff,	)	CALENDAR/ROOM E
	)	TIME 00:00
vs.	)	Preises Liability
)	
SUNRISE SENIOR LIVING, INC., d/b/a)	
SUNRISE CHURCH CREEK, SUNRISE)	
SENIOR LIVING SERVICES, INC.	)	3
SUNRISE SENIOR LIVING)	
MANAGEMENT, INC. and)	
SUNRISE SENIOR LIVING)	
INVESTMENTS, INC., a foreign)	
Corporation, and SPTMRT PROPERTIES)	
TRUST, a Maryland real estate investment)	
trust,	)	3
)	

Defendants.

COMPLAINT AT LAW

PLAINTIFF, FAYE GARLAND, through her attorneys, SCHIFF GORMAN & KRKLJES, complaining of Defendants, SUNRISE SENIOR LIVING, INC., d/b/a SUNRISE CHURCH CREEK, SUNRISE SENIOR LIVING SERVICES, INC. SUNRISE SENIOR LIVING MANAGEMENT, INC., and/or SUNRISE SENIOR LIVING INVESTMENTS, INC., foreign corporations, and SPTMRT PROPERTIES, a Maryland real estate investment trust, states as follows:

NEGLIGENCE

1. On and before October 21, 2007, SUNRISE SENIOR LIVING, INC., d/b/a SUNRISE CHURCH CREEK, SUNRISE SENIOR LIVING SERVICES, INC., SUNRISE SENIOR LIVING MANAGEMENT, INC., and/or SUNRISE SENIOR LIVING INVESTMENTS, INC, all foreign corporations (hereinafter collectively SUNRISE) were authorized to do business in the State of Illinois.

2. On and before October 21, 2007, SPTMRT PROPERTIES, a Maryland real estate investment trust, (hereinafter SPTMRT) was authorized to do business in the State of Illinois.

3. On and before October 21, 2007, SUNRISE and/or SPTMRT, and each of them, owned, operated, managed, maintained, supervised and controlled the premises located at 1250 West Central Road in Arlington Heights, County of Cook, State of Illinois, and among other things, owned and managed an independent living community, nursing and rehabilitation facility.

4. On and before October 21, 2007, at approximately 7:10 p.m., Plaintiff FAYE GARLAND (hereinafter GARLAND) was lawfully on the aforementioned property in the parking area of the aforementioned property and intending to drive her vehicle off said property.

5. At the aforementioned time and place, during her exit from the property, the overhead lighting at the exit area was not active and the exit area was in darkness.

6. At the aforementioned time and place, GARLAND'S vehicle entered an unnatural hole in the exit lane, and as a result, her vehicle was caused to leave the road and hit a tree.

7. At all times relevant herein, SUNRISE and SPTMRT, and each of them, through their agents, servants and employees, had a duty to operate the aforementioned business and maintain said premises with reasonable care and caution for its invitees, including GARLAND, such that it was safe for persons lawfully thereon.

8. Notwithstanding the aforementioned duty, and in breach thereof, at the aforementioned time and place SUNRISE and SPTMRT, and each of them, were guilty on one or more of the following negligent acts and or omissions:

- a. failed to properly inspect the premises, and in particular the aforementioned exit area and parking lot, to ensure it was safe for persons lawfully thereon;

- b. allowed and permitted said driveway, exit area, and parking lot to remain in a dangerous condition, specifically, said area was filled with broken concrete/asphalt/cement creating large holes in the lanes used for vehicular traffic exiting the premises, when Defendants knew, or in the exercise of reasonable care should have known, that this condition created dangers and hazards for persons using same;
- c. failed to warn Plaintiff of the existence of the aforementioned dangerous conditions;
- d. failed to identify, remedy, block off, rope, or otherwise cordon-off the aforementioned dangerous conditions;
- e. failed to adequately manage, repair and maintain the aforementioned area so as to keep same safe for persons lawfully using same;
- f. failed to direct traffic so that vehicles would not encounter the dangerous areas;
- g. failed to adequately illuminate the area when Defendants knew, or in the exercise of reasonable care should have known, of the existence of the dangers presented;
- g. designed, created, constructed, installed, managed and maintained a dangerous condition, specifically, a parking lot that was dangerous when put to its intended use; and
- h. created and/or allowed the creation and existence of a means of egress from the property which violated the customs and practice and standards of design of the construction and maintenance industries which require paved areas to be free of hazards, and maintained for safe use.

9. As a direct and proximate result of one or more of the aforesaid negligent acts and/or omissions of Defendants SUNRISE and SPTMRT, and each of them, Plaintiff's vehicle was caused to leave the road and hit a tree.

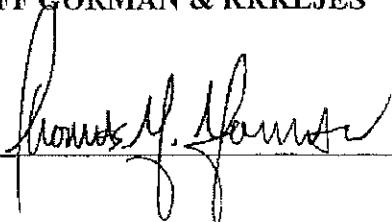
10. As direct and proximate cause of one or more of the aforementioned negligent acts and or omissions of defendants, SUNRISE and SPTMRT, and each of them, Plaintiff FAYE GARLAND then and there sustained severe and permanent injuries, both internally and externally, which caused and continues to cause her great pain and suffering and necessitated the

expenditure of and will in the future necessitate the expenditure of large sums of money for medical care and services related to her injuries, and was and will in the future hinder and prevent her from attending to her duties and affairs, and has lost, and will in the future lose the value of that time.

WHEREFORE, Plaintiff, FAYE GARLAND, demands judgment against Defendants, SUNRISE SENIOR LIVING, INC., D/B/A SUNRISE CHURCH CREEK, SUNRISE SENIOR LIVING SERVICES, INC., and SUNRISE SENIOR LIVING INVESTMENTS, INC., a foreign corporation, and SPTMRT PROPERTIES, a Maryland real estate investment Trust, and each of them, in an amount in excess of the jurisdictional limits of this Court as well as costs concomitant herewith.

Respectfully submitted,

SCHIFF GORMAN & KRKLJES

By: 

Thomas G. Gorman
SCHIFF GORMAN & KRKLJES
One East Wacker Drive, 28th Floor
Chicago, Illinois 60601
(312) 345-7210

Firm ID# 37407

IN THE CIRCUIT COURT OF COOK COUNTY
COUNTY DEPARTMENT, LAW DIVISION

FAYE M. GARLAND,)
vs. Plaintiff,)
vs.) Case No.:
SUNRISE SENIOR LIVING, INC., d/b/a)
SUNRISE CHURCH CREEK, SUNRISE)
SENIOR LIVING SERVICES, INC.)
SUNRISE SENIOR LIVING)
MANAGEMENT, INC. and)
SUNRISE SENIOR LIVING)
INVESTMENTS, INC., a foreign)
Corporation, and SPTMRT PROPERTIES)
TRUST, a Maryland real estate investment)
trust,)
)

Defendants.

AFFIDAVIT PURSUANT TO RULE 222(b)

Thomas G. Gorman, upon oath, states that if called will testify as follows:

I am one of the attorneys for the Plaintiff, FAYE GARLAND.

I am familiar with the extent of damages suffered by FAYE GARLAND; and

I reasonably believe that the total money damages suffered by her exceeds \$50,000.00 exclusive of costs.

CERTIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that, at this time, the statements set forth in this instrument are true and correct to the best of my knowledge, information and belief.

Thomas G. Gorman